

## WHAT MANAGEMENT & UNIONS NEED TO KNOW



### What is Harassment?

EEO law defines harassment as personal slurs or other denigrating or insulting verbal or physical conduct relating to an individual's: *race, age, color, religion, disability, retaliation, genetic information, national origin parental status\*, or sex (including pregnancy, sexual orientation, gender identity, and transgender status).*

Harassment creates an intimidating, hostile or offensive working environment; unreasonably interferes with an individual's work performance; or otherwise adversely affects an individual's employment opportunities that either results in a tangible employment action, or is so severe or pervasive as to constitute an intimidating, hostile, or offensive work environment. Harassing behavior can include, but is not limited to:

- 1) verbal conduct that could include racial or sexual epithets, foul language, unwanted sexual flirtations, ethnic jokes, derogatory statements or slurs;
- 2) physical conduct that could include improper touching or assault; or
- 3) visual harassment that could include racially or sexually explicit or derogatory posters, cartoon or drawings, or obscene gestures. *\*NOTE: Although EEOC does not have jurisdiction, VA prohibits discrimination based on parental status.*

### Management & Union Responsibility

Employers are responsible for providing their employees with a work environment that does not discriminate and is free of harassment. Having an anti-harassment policy does not mean that there will be no harassment complaints. However, having an effective policy and procedures coupled with anti-harassment training for all staff will assist in preventing harassment and support employees who are being harassed to come forward. Union officials are responsible for advising employees of their rights; reporting harassment promptly; and encouraging employees to fully cooperate with the AHO policies and procedures.

### The Consequences of Harassment

Management should make clear that it will undertake immediate and appropriate corrective action, including disciplinary action, whenever it determines that harassment has occurred in violation of VA's Anti-Harassment Policy. Management should inform both parties about the measures undertaken. Remedial measures should be designed to stop the harassment; correct its effects on the employee; and ensure that the harassment ceases. Remedial measures need not be those that the employee requests or prefers as long as they are effective. However, remedial measures should not adversely affect the employee alleging harassment. Those measures should correct the effects of the harassment.

### Employee Rights and Responsibilities

It is the employee's responsibility to report any and all harassment. The employee may directly say to the harasser that she or he wants the misconduct to stop and then wait to see if that is effective in ending the harassment before complaining to management or contacting the Resolution Support Center (RSC). If the harassment persists, report the unwanted behavior immediately. **Note: The anti-harassment procedures do not affect rights under the EEO complaints process. The anti-harassment reporting process is entirely separate from the EEO complaints process. This means that an employee who reports allegations of harassment in accordance with the VA Anti-Harassment Policy has not filed an EEO complaint. An employee who wishes to file a discrimination complaint should contact an EEO counselor at (888) 737-3361 within 45 days of the alleged harassing conduct. An employee may also report harassment using the AHO procedures and file an EEO complaint simultaneously.**

### Retaliation

Management should make clear that it will not tolerate retaliation against employees who report harassment or provide information related to such complaints. To assure employees there is no need to fear retaliation management must clearly communicate and enforce a policy that no employee will be retaliated against for complaining of harassment.

### Reporting Procedures

There are two paths for reporting harassing conduct:

- 1) Contact your internal departmental resources. Your first line supervisor, if applicable, or the next level in your supervisory chain if the harassment involves your direct supervisor. You can also contact the Anti-Harassment Coordinator (AHC) POC for your office. OR
- 2) Contact the AHO through the Resolution Support Center (RSC) at (888) 566-3982. This team of Specialists is equipped to discuss your concerns with you, enter your harassment allegation in to the AHO database, as well as answer any questions you may have.

**Upon receipt of every harassment allegation, the AHC and the appropriate manager will promptly act to thoroughly and impartially investigate the alleged harassment. All inquiries and corrective measures will be completed and administered under the oversight of the Anti-Harassment Office.**

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VA Office of Resolution Management – Anti-Harassment Office

Fact Sheet

Issue 10/14/2015



**For more information contact your local Anti-Harassment Coordinator:**

### Administrations:

1. **Office of Information & Technology (OIT)**
  - Laurie Young, EEO Program Manager
2. **Veterans Health Administration (VHA)**
  - Audrey Oatis-Newsome – Director, VHA EEO/Affirmative Employment Office; Sharron Jernigan – EEO Manager; David Groves – Program Specialist
3. **Veterans Benefits Administration (VBA)**
  - Stefanie Studstill – EEO Manager
4. **National Cemetery Administration (NCA)**
  - Perdita Johnson-Abercrombie, EEO Manager
  - Afrika Williams (Intern)

### Staff Offices: Compliant:

5. **Office of the Secretary (OS) / Office of Employment Discrimination Complaint Adjudication (OEDCA)**
  - Michele Perez – Director of Administrative Operations
  - Renae Allen – HR Liaison
6. **Office of Small & Disadvantaged Business Utilization (OSDBU)**
  - Nolita Pollard – Human Resources Manager
7. **Office of General Counsel (OGC)**
  - Keesha Monk – Human Resources Division Director
8. **Office of Acquisitions, Logistics & Construction (OALC)**  
**TO INCLUDE: Office of Construction & Facilities Management (CFM)**
  - Charles (Jay) McCloud – Management and Program Analyst
9. **Board of Veterans Appeals (BVA)**
  - Vivienne Alonso – Executive Assistant (OMPA)
10. **Office of Public & Intergovernmental Affairs (OPIA)**
  - Inez Sidbury – Director, Resource Management Staff
11. **Office of Management (OM)**
  - Amy Parker – Chief of Staff
  - Kevin Stephens – Staff Assistant
12. **Office of Human Resources & Administration (HR&A)**
  - Leah Conley – Program Specialist
13. **Office of Operations, Security and Preparedness (OSP)**
  - Sylvia Dunn – Director, Resource Manager
  - Prince Taylor – Human Resource Manager
14. **Office of Policy and Planning (OPP)**
  - Steve Carney – Human Capital Manager
15. **Office of Congressional & Legislative Affairs (OCLA)**
  - Regina Mack-Abney – Administrative Officer
  - Pamela Balsley – Administrative Officer

### Sub Offices:

16. **Office of Acquisitions & Logistics (OAL)**
  - Victoria Jones-Khalil – Program Specialist
17. **Office of Acquisitions Operations (OAO)**
  - Sharonda Parker – Management Analyst
18. **Office of Administration (OA)**
  - Katherine Henson – HR Liaison
19. **Office of Labor Management Relations (LMR)**
  - Larry Bennett – Staff Director
20. **Office of Diversity and Inclusion (ODI)**
  - Angela Dunn – Special Assistant
  - Tynnetta Lee – Equal Employment Specialist
21. **Office of Human Resources Management (OHRM)**
  - Eric Thomas – Executive Assistant
  - Letricia Jackson – ER/LR Specialist
22. **Corporate Senior Executive Management Office (CSEMO)**
  - Conrad Washington – Special Assistant
23. **VA Learning University (VALU)**
  - Zeldia Davis – Management Analyst; Valeria Roberts – Program Specialist; Debra Merchant – Management Analyst
24. **Veterans Employment Service Office (VESO)**
  - Renetta Lane – Staff Assistant
25. **Office of Resolution Management (ORM)**
  - Candace Choromokos – Staff Assistant

### **Office of Resolution Management Anti-Harassment Office**

#### Mission

The Anti-Harassment Office provides centralized tracking, monitoring and reporting processes to respond to all allegations of harassment. We will ensure all harassment allegations are reported to VA leadership outlining prompt corrective measures taken to decrease harassing behavior in the workplace. The AHO is responsible for providing education and awareness training on the harassment program and the reporting process. The AHO is committed to establishing transparency and accountability at every employment level.

#### Our Goal

Ultimately, the goal of the AHO is to prevent harassing conduct before it can become severe or pervasive.

#### What Does Harassment Look Like?

- Threatening that rejection of sexual overtures will affect appointments, promotions, transfers, or evaluations.
- Creating belittling caricatures or objects depicting persons of a particular race, national origin, religion, or other protected category.
- Telling racial or ethnic jokes.
- Teasing, mimicking, or repeatedly commenting on an individual's disability, accent, or other protected category.
- Making offensive comments, jokes or suggestions about an employee's gender.
- Making obscene or lewd comments, slurs, jokes, epithets, suggestions, or gestures.
- Commenting on an employee's body or sexual characteristics.
- Displaying nude or sexually suggestive objects, pictures, images, or cartoons.
- Continuing prohibited behavior after a coworker has objected.
- Laughing at, ignoring, or retaliating against an employee who complains.

**Note:** The conduct must be unwelcome. Therefore, the perspective of the recipient – i.e., the person subjected to the behavior – as to whether the behavior is viewed as offensive, demeaning, or hostile is a primary consideration in determining whether the behavior constitutes harassing conduct.

RSC – 1-888-56-NEW VA (1-888-566-3982)